



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

VIA FACSIMILE

MAR 01 2019

General D. Peter Helmlinger
Division Commander
Northwestern Division
U.S. Army Corps of Engineers
P.O. Box 2870
Portland, OR 97208-2870

Subject: Decision Not to Seek Higher Level Review of Department of Army Permit
No. SPL-2008-00816-MB Rosemont Copper Mine Project

Dear General Helmlinger:

On February 14, 2019, we received the U.S. Army Corps of Engineers Notice of Intent to Proceed (NOI) and draft permit for the Rosemont Copper Mine Project, dated February 8, 2019, which you forwarded to us pursuant to Part IV, paragraph 3(c)(1) of the 1992 Clean Water Act Section 404(q) Memorandum of Agreement between the EPA and the Department of the Army (MOA). We have reviewed both the NOI and the draft permit, as well as the supporting documents that you sent. I am writing to inform you that I am exercising my discretion to not request higher level review of the draft permit from the EPA's Assistant Administrator for the Office of Water pursuant to Part IV, paragraph 3(d)(1) of the MOA.

Please do not hesitate to contact me at (415) 947-8702 if you have any questions or would like to discuss this matter further.

Sincerely,

A handwritten signature in black ink that reads "Michael Stoker".

Michael Stoker
Regional Administrator